DOCUMENT RESUME

ED 421 777 EA 029 184

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TITLE Practices Used by Arizona School Districts Dealing with Incompetent Teachers.
PUB DATE 1998-04-00
NOTE 15p.; Paper presented at the Annual Meeting of the American Educational Research Association (San Diego, CA, April 13-17, 1998).
PUB TYPE Reports - Research (143) -- Speeches/Meeting Papers (150)
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Administrative Problems; *Administrator Responsibility; *Educational Practices; Elementary Secondary Education; Questionnaires; *Teacher Dismissal; *Teacher Evaluation
IDENTIFIERS *Arizona; *Incompetence

ABSTRACT

This research, which defines teacher incompetence as an administrative problem with serious consequences, concentrates on one solution: cleansing the profession by dismissing incompetent teachers. Specifically, the study aimed to obtain information about the practices Arizona school districts use to identify and handle incompetent teachers. Data were collected from 34 out of 45 personnel directors or superintendents belonging to the Arizona School Personnel Administrators Association. A large majority (74.1 percent) reported using at least three different identification methods: supervisory ratings, parent complaints, and complaints from other teachers. Nearly 91 percent had adopted formal remediation programs. About 65 percent reported that since September 1996, a total of 101 probationary teachers had been notified they will not be rehired because of incompetence. Few reported using incompetent teachers as substitutes; 26.5 percent indicated their districts transfer incompetent teachers to another school. About 56 percent stated that 90 teachers resigned or took early retirement. Only 14 districts reported they provided inducements for resignation or early retirement. Dismissing incompetent teachers is both an instructional and legal responsibility for administrators. Foreseeability is a critical liability dimension. (Contains 14 references.) (MLH)

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ED 421 777

# PRACTICES USED BY ARIZONA SCHOOL DISTRICTS DEALING WITH INCOMPETENT TEACHERS

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**Paper presented at the Annual Meeting of the American Education Research Association, San Diego, California, April 13-17, 1998.**

EA 029 184

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# PRACTICES USED BY ARIZONA SCHOOL DISTRICTS DEALING WITH INCOMPETENT TEACHERS

by

Ali E. Sahin

## Introduction

Surveys conducted by the American Association of School Administrators show that teacher incompetence ranks as the third most serious administrative problem (Bridges, 1986). The cost of incompetence and poor performance is staggering. Failure by school administrators to take action results in decreased student achievement, low teacher morale, diminished confidence toward schools, teacher and administrator liability, and increased litigation (McGrath, 1995). Despite the importance of this problem, little is known about how administrators respond to the incompetent teacher.

Everyone connected with a school knows who the incompetent teachers are, including the administrators, the teachers, the parents and classified staff. Most of the time, however, incompetent teachers are ignored by others. Principles are primarily responsible for teacher evaluation but they rate many incompetent teachers as "satisfactory" to avoid facing their performance problems. Administrators find it difficult to tell a teacher that his or her performance is deficient.

What about good teachers? Are they doing something against their incompetent colleagues? Palker (1980) states that teachers read about doctors and lawyers who are becoming more and more willing to testify against incompetent colleagues in order to strength their professions. But what is the teaching profession doing now that it has become so vulnerable to criticism in this age of public dissatisfaction with the quality of

education. The answer teachers are finding is that the teaching profession is suffering from bad case of "passing the buck."

How many parents would make an appointment for their children to see an incompetent doctor? Of course none of them. However, most parents say nothing when their children are taught by an incompetent teacher. Although individual administrators, teachers, parents and teacher organizations recognize the incompetency problem, they are not willing to be involved in the competency issue. They don't like to talk about the incompetent teacher. They don't like to admit these exist in their schools. However, everyone has to know that an incompetent teacher can do as much as damage as an incompetent doctor.

In this research the incompetence problem was considered as an administrative problem. Thus, the solution of the problem was expected from administrators.

In response to the perceived prevalence and seriousness of incompetent performance in the classroom, the following solutions have been advanced:

1. Cleanse the profession by dismissing the incompetent teachers;
2. Improve the attractiveness of the teaching profession by raising salaries;
3. Restrict entry into the profession by means of competency tests;
4. Upgrade the quality of preservice teacher education by adopting competency-based preparation programs; and
5. Provide incentives for quality teaching by instituting merit pay (Bridges, 1986).

This study will concentrate on the first proposed solution because identifying, remediating, and, if necessary dismissing the incompetent teachers is critical to improving the instructional process in schools.

**Purpose of the Study**

The purpose of the study is to obtain information about the practices used by Arizona school districts in dealing with incompetent teachers. The research questions are as follows:

1. What practices have been used by Arizona school districts to identify incompetent teachers?

2. What practices have been used by Arizona school districts about incompetent teachers after identifying them?

## Review of the Literature

The literature suggests three interrelated activities dealing with incompetent teachers:

1. Identifying incompetent teachers,

2. Remediating incompetent teachers, and

3. Dismissing the incompetent teachers

**Who is the Incompetent Teacher?**

In the related literature, different terms have been used to refer to a teacher who has a poor performances in teaching included "incompetent teacher," "inadequate teacher," "marginal teacher," "poor performer," and "teacher malpractice."

The incompetent teacher has been defined as a teacher who has demonstrated his or her inability to meet minimum standards of performance over a number of years (Kelleher, 1985). Who is the marginal teacher? According to Fuhr (1993), based on formal and informal evaluations, feedback from students, parents, teachers, and school administrators, a marginal teacher is one whose performance borders on incompetency. Now, we need to define the borders on incompetency. When administrators define incompetence, they tend to think of it in terms of failure, and the failure takes one or more of the following forms (Bridges and Groves, 1984):

*1. Technical failure*. The teachers expertise falls short of what the task requires. Technical failure is indicated by deficiencies in one or more of the following: discipline, teaching methods, knowledge of subject matter, explanation of concepts, evaluation of pupil performance, organization, planning, lesson plans, and homework assignments.

*2. Bureaucratic failure*. The teacher fails to comply with school/district rules and regulations or directives of supervisors. Bureaucratic failure is indicated by the teacher's failure to follow suggestions for improving his or her performance, to adhere to the content of the district's curriculum, or to allow supervisors in the classroom for purposes of observing the teacher's performance.

*3. Ethical failure*. The teacher fails to conform to standards of conduct presumably applicable to members of the teaching profession. Violations of these standards commonly take the form of physical or psychological abuse of students, negative attitudes toward students, and indifferent performance of one's teaching duties.

*4. Productive failure*. The teacher fails to obtain certain desirable results in the classroom. Productive failure is indicated by the academic progress of students, the interest of students in what is being taught, the attitudes of students toward school, the respect of students for the teacher, and the climate of the classroom.

*5. Personal failure*. The teacher lacks certain cognitive, affective, or physical attributes deemed instrumental in teaching. Indicators of personal deficiencies include poor judgment, emotional instability, lack of self-control, and insufficient strength to withstand the rigors of teaching.

Fuhr (1993) believes that marginal teachers usually display one or more of these three general characteristics: First, there's the helpless marginal teacher who does not grasp the basic techniques required for effective teaching. It may be because of poor training- or of good training that was never absorbed. In either case, this teacher is not lost forever to education. Help is possible, and the condition can be reversed. Second is the hurt marginal teacher who is competent and willing to do a good job. But for some serious and deeply

affecting personal reason, this person has begun to exhibit chronic inadequacies as a classroom leader and has slipped into the category of being marginal. Third is the hardheaded marginal teacher. This is the most difficult type. This is the marginal teacher who has developed what is called "an attitude." Such a teacher usually knows what is expected- but refuses to do it. No real reason. Just doesn't want to.

Usually, happy people don't fail in the classroom. A person who projects enthusiasm and happiness tends to succeed with students even if he or she isn't absolutely proficient in all aspects of the art of teaching. On the other hand, the failing teacher is usually an unhappy person. The failing teacher usually has a host of heartbreaking life problems, including health problems, marriage problems, or child problems (Waintroob, 1995).

If a teacher is having difficulties in the classroom, these may stem from one or more of the following factors: the shortcoming of the supervisor or the organization (e.g., failure to communicate clear evaluation criteria); weaknesses or problems of the teacher ( e.g., lack of ability or effort); and outside influences (e.g., marital or financial difficulties) (Bridges, 1985).

Supervisory evaluations, classroom observations, complaints from parents, students ratings, complaints from students and other teachers, and peer evaluations are the most commonly used sources of information to identify incompetent teachers.

**Remediating Incompetent Teachers**

When the teacher receives an unsatisfactory evaluation, the administration is legally obligated to develop a plan of remediation and to spell out the areas of improvement (Bridges, 1992). The purpose of the remediation stage is to assist the teacher who is a candidate for possible dismissal.

If the classroom difficulties of the teacher are due to a lack of skill, the principal needs to use multiple types of remediation, because skill deficiencies often involve the

learning of complex behaviors and the ability to integrate these behaviors into a long-established behavior pattern. Three types of remediation are essential to remedying skill deficiencies (Bridges and Groves, 1984): First, the teacher should receive the information and knowledge which are relevant to the skills which are lacking. Second, the teacher should be given the opportunity to observe examples of a teaching performance that exemplifies key behaviors and skills. Finally, the teacher should have the opportunity to try out the new behavior or skill in a restricted environment before attempting to incorporate the practice into the classroom.

Conley (1991) recommends eight steps that provide a basic outline for effective teacher remediation:

1. Develop clear performance criteria.

2. Develop commonly understood performance standards, including minimum district standards.

3. Develop a clear set of procedures for use with teachers who do not meet minimum performance standards.

4. Make teacher remediation a team effort.

5. Use a combination of low, moderate, and high-impact interventions.

6. Devote adequate resources to teacher remediation.

7. Make certain district policies support effective teacher remediation.

8. Develop a third level for use with teachers who do not improve.

**Dismissing of Incompetent Teachers**

Despite the remediation efforts, some teachers will not show sufficient improvement. These teachers must be dismissed or induced to resign. The teacher's incompetence must be proved by the evidences.

Incompetence must be proved by a pattern of conduct rather than one single instance of behavior. The charge of incompetence can be proved by use of classroom

observations prepared by evaluators over the period in question, as well as through summary evaluations. Other evidence that can be submitted in a termination proceeding are lesson plans, tests and quizzes taken by students, homework assignments, classroom assignments, and other documents related to instruction (McGratth, 1993).

Bridge's study (1992) showed that job security exerts a major influence on the nature of the termination. Temporary teachers possesses virtually no job protections. Although they constitute less than 7 percent of the teaching force in California, they account for approximately 70 percent of the dismissal between September 1982 and May 1984. Contrariwise, tenured teachers are covered by a thick layer of legal protections and account for only 5 percent of the dismissals even though they comprise 80 percent of the work force.

Ward's research findings (1995) confirmed what many suspect already - relatively few teachers are being separated for poor performance. The average annual proportion of teachers dismissed or persuade to resign was 0.64 percent, less than 1 percent. Probationary teachers were removed at a much higher rate than tenured teachers. The involuntary separation rate for probationary teachers was 2.7 percent, while the rate for tenured teachers was 0.15 percent or 1 out of every 670 tenured teachers. While probationary teachers made 21 percent of the total teacher population in the sample districts, they accounted for 81 percent of the involuntary separations that occurred during the period studied. Conversely, tenured teachers who made up 79 percent of the total teacher population, accounted for only 19 percent of the involuntary separations.

## Method

### Population and Sample

Personnel directors or superintendents who were members of the Arizona School Personnel Administrators Association served as the population for this study. As of November 1, 1996 there were 140 members of the association. The members who did not have the title of "director of personnel" or "director human resources" were eliminated. Because of the fact that some small districts do not have a "director of personnel" the superintendents of these school districts were included to the study. As a result of this, the sample of this study consisted of 45 personnel directors or superintendents in Arizona.

### Data Collection and Analysis

Data were collected using a questionnaire which was designed by Bridges (1992). Participating personnel directors and superintendents were asked 15 questions in six specific study areas. These study areas were as follows: (1)Hiring, (2)Identification, (3)Remediation, (4)Sanctions, (5)Reassignment, and (6)Resignations and Early Retirements.

The questionnaire was mailed to 45 personnel directors. Included was a letter explaining the study, instructions for completing the questionnaire, and a stamped, self-addressed envelope. Following week few responses were received so a follow-up letter was faxed as a reminder. Finally, 34 questionnaires were returned. The return rate was 75.5%.

Descriptive statistics were used to analyze the data. Frequencies and percentages were drawn from the data.

## Findings

As indicated before, participating personnel directors and superintendents were asked 15 questions regarding the practices used in their school districts dealing with incompetent teachers. The study's major findings were:

1. The large majority, 74.1%, reported that they use at least three different methods to identify incompetent teachers. The most frequently reported methods are (1) supervisory ratings, (2) complaints from parents, and (3) complaints from other teachers. Table 1 reveals data concerning the practices that used by Arizona School Districts to identify incompetent teachers.

| Practice | Percent Response |
|---|---|
| Supervisor ratings | 94.1% |
| Complaints from parents | 82.4% |
| Complaints from other teachers | 64.7% |
| Student test results | 29.4% |
| Follow-up surveys of former students | 20.6% |
| Student ratings | 14.7% |
| Annual evaluation process | 11.7% |
| Documentation of incidence | 8.8% |
| Board members intrusion | 5.8% |
| Peer ratings | 5.8% |

Table 1: Practices Used by Arizona School Districts to Identify Incompetent Teachers

2. Nearly 91% of respondents reported that their districts have adopted a formal remediation program. Data concerning this question showed that almost all the districts in this study have some problems with incompetent teachers. To solve this problem, as a first stage they use remediation programs.

3. Sixty eight teachers from 19 districts have received a 90-day notice for incompetence since September 1, 1996. Twenty two personnel directors and superintendents, 64.7%, reported that since September 1, 1996 a total of 101 probationary teachers have been notified that they would not be rehired for the succeeding year because of incompetence.

4. If a teacher fails to improve after receiving assistance, some districts find another assignment for the teacher. Of the 33 participants responding to this question, only 9% reported that they take teachers out of a regular classroom teaching assignment because of incompetence and subsequently use them only as substitute teachers. 26.5% of the participants indicated that their districts transfer incompetent teachers to another school in hope that they will be able to succeed in the new location.

5. Nineteen participants, 55.8%, stated that a total of 90 teachers resigned or took early retirement because they were counseled out or because they wanted to avoid possible dismissal.

6. Only 14 districts reported that they have provided inducements to incompetent teachers in connection with their resignations or early retirement. Other participants did not choose any of the given inducements. Cash settlement (lump sum payment), medical coverage at district expense for a fixed period of time, employment as a substitute teacher, training at district expense to pursue another career, and paid leave for part of the school year are the most commonly provided inducements. It can be said that districts in Arizona rarely provide inducements for that purpose. The following inducements have been provided to incompetent teachers in connection with their resignations or early retirements:

| Inducements | Percent |
|---|---|
| Cash settlement (lump sum payment) | 28.6% |
| Medical coverage at district expense for a fixed period of time | 21.6% |
| Employment as a substitute teacher | 21.6% |
| Paid leave for part of the school year | 28.6% |
| Favorable recommendations for non-teaching positions | 14.3% |
| Employment as a consultant for a fixed period of time | 14.3% |
| Removal of negative information from the personnel file | 14.3% |
| Outplacement counseling (professional assistance in preparing resumes, creating job search plans, and/or preparing for interviews) | 14.3% |
| Other | 3.7% |

Table 2: Prevalence of inducements across Arizona School Districts

## Discussion, Conclusions, and Recommendations

The purpose of this study was to obtain information about practices used by Arizona school districts in dealing with incompetent teachers. Identifying, remediating, and if necessary dismissing incompetent teachers were viewed as critical processes to improve instructional processes in schools.

If school administrators use effective hiring processes, incompetency would not exist in schools. This research showed that, however, approximately 90% of participating school personnel directors and superintendents never required candidates to submit video-tapes of themselves presenting a lesson during their student teaching or they never required applicants to prepare a lesson based on an objective formulated by selection committee. Conley (1991) stresses that it is not unreasonable in this era of the video camera to ask candidates to provide a video of them in a classroom setting. Ten minutes of video-tape can reveal more than hours of interviews.

A great deal of effort has been spent to identify incompetent teachers in Arizona school districts. Almost 75.0% of the districts have used at least three different ways to identify incompetent teachers. All classroom activities take place behind closed doors. Thus, administrators must use various ways to identify incompetent teachers. Judging

teacher incompetency is a sensitive issue. For of this reason, administrators should document every incident to prove incompentency.

Nearly 91% of respondents reported that their districts have adopted a formal remediation program. Preparing a remediation program is the hardest part of dealing with teacher incompetency, because, incompetency problem stems from personal difficulties such as alcoholism or health problems, or outside influences such as financial problems. Incompetent teachers rarely receive assistance for such problems. Remediation programs usually target problems such as poor pre-service preparation or adopting to the changing environment.

Once a teacher fails in the remediation program, districts start to use different ways remove the teacher from the classroom. Approximately 26.5% of school personnel directors and superintendents reported that they transferred incompetent teachers to another school in hopes that they will be able to succeed in the new location. Districts (55.8%) give incompetent teachers the choice to resign, or the early retirement to avoid possible dismissal.

School administrators have to detect incompetent teachers, assist incompetent teachers, and if necessary dismiss incompetent teachers. This is not only an instructional role of the administrators but it is also a legal responsibility of them. Essex (1986) states that in addition to the administrators' instructional role, there is also a legal concept relating to liability that brings the principal into malpractice litigation. It is called foreseeabilty, and it is a critical dimension in liability cases. As applied here, it is the educator's ability to predict or forecast that the continuation of a certain practice may result in injury to students. For example, suppose that the principal has prior knowledge that a certain teacher is not providing competent instruction in the classroom and does nothing to correct the situation. Charges could then be brought against the principal for failure to correct a harmful practice that results in academic injury to students.

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